

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

STEPHEN YANG

Plaintiffs,

- against -

MIC NETWORK INC.

Defendant.

1:18-cv-07628 (AJN)

ECF Case

DECLARATION OF RICHARD LIEBOWITZ

I, RICHARD LIEBOWITZ, hereby swear under the penalty of perjury that the following is true and correct to the best of my personal knowledge:

1. I am lead counsel for plaintiff Stephen Yang (“Plaintiff”) and am duly admitted to practice law in this District and in the State of New York.
2. I submit this declaration in support of Plaintiff’s motion to strike docket no. 39 from the record, a document which was filed by Defendant Mic Network, Inc. after its motion for attorneys’ fees was fully briefed.
3. Docket #39 constitutes a supplemental four-page, single-spaced brief which was not authorized by the Court or Local Rule 6.1(b). None of the cases cited in Defendant’s supplemental brief qualify as “supplemental authority” as these cases were decided at the district court level and are not binding on this Court.

4. In the event that the Court does not strike Defendant's improper supplemental brief, then Plaintiff respectfully requests leave of Court to file a four-page, single-spaced letter brief in further opposition to Defendant's motion for attorneys' fees and sanctions.

Dated: August 3, 2020
Valley Stream, New York

Respectfully Submitted:

s/richardliebowitz/

By: Richard Liebowitz

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